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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

EE/AES/WT

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/763,051	01/22/2004	Peter E. Oettinger	2003627-004a

24280  
 Choate, Hall & Stewart  
 Exchange Place  
 53 State Street  
 Boston, MA 02109

Missing Parts / DWGS  
**Due** 10-28-04  
**Final** 10-28-04  
11-28-04

CONFIRMATION NO. 3799

FORMALITIES LETTER



\*OC000000012467587\*

Date Mailed: 04/28/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/01/2004 HALI11 00000094 10763051

FILED UNDER 37 CFR 1.53(b)

01 FC:2001	385.00 OP
02 FC:2051	65.00 OP
03 FC:2201	43.00 OP
04 FC:2202	189.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

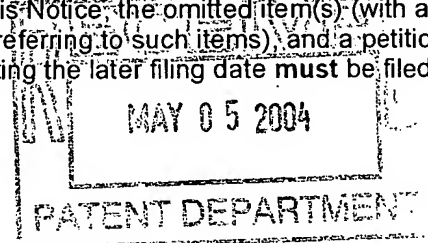
- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **5C ,D&E** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.



Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted item(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$232** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$682** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$232**
  - **\$43** for **1** independent claims over 3.
  - **\$189** for **21** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

15q ends

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Attorney Docket No.: 2003627-0006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Oettinger, *et al.*

Examiner: To be assigned

Serial No.: 10/763,051

Art Unit: 2882


Filing Date: January 22, 2004

Title: INTEGRATED X-RAY SOURCE MODULE

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on September 28, 2004.

  
Susan M. Dinsmore

**TRANSMITTAL**

Enclosed herewith please find:

1. Response to Notice to File Missing Parts (2 pgs.);
2. Notice to File Missing Parts (3 pgs.);
3. Petition for Extension of Time Under 37 C.F.R. §1.136;
4. Executed Declaration (5 pgs.);
5. Formal Drawings (consisting of 14 sheets);
6. Check in the amount of \$682.00;
7. Check in the amount of \$475.00; and
8. Return postcard.

Please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Valarie B. Rosen', written over a horizontal line.

Valarie B. Rosen, Ph.D.

Registration Number 45,698

Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000  
Dated: September 28, 2004

3752007v1



Attorney Docket No.: 2003627-0006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

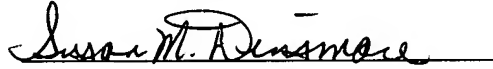
Applicant: Oettinger, et al. Examiner: To be assigned  
Serial No.: 10/763,051 Art Unit: 2882  
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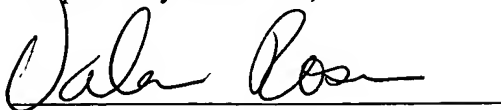
**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice to File Missing Parts in the above-referenced application, mailed by the U.S. Patent and Trademark Office on April 28, 2004, enclosed herewith are the following

- 1) Notice to File Missing Parts (3 pgs.);
- 2) Executed Declaration (5 pgs.);
- 3) Formal Drawings (consisting of 14 sheets);
- 4) Check in the amount of \$682.00;
- 5) Petition for Extension of Time;
- 6) Check in the amount of \$475.00; and
- 7) Return postcard.

Please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

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Dated: September 28, 2004

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